



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Michael G. Hayek
Serial No. : 09/291,227
Filed : April 13, 1999
Title : LUTEIN-CONTAINING SUPPLEMENT AND PROCESS FOR
ENHANCING IMMUNE RESPONSE IN ANIMALS
Docket : IAM 467 PA
Examiner : D. Faulkner
Art Unit : 1617

Assistant Commissioner for
Patents
Washington, D.C. 20231

Sir:

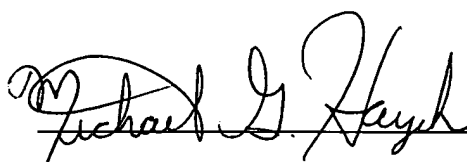
DECLARATION OF MICHAEL G. HAYEK

I, Michael G. Hayek, declare and state as follows:

1. I am currently employed by the Iams Company, assignee of the above-identified patent application. My current position is Manager, Strategic Research.
2. I am familiar with the abstracts by Cervený et al., Lutein Uptake by Blood and Leukocytes in the dog, AN 1998:203354 and Kim et al., Modulation of Cell Mediated Immunity by Dietary Lutein in Dogs, AN 1998:203976. I am named as a co-author of both of those articles. The research in those abstracts was supported by a grant from The Iams Company.
3. I am the sole inventor of the subject matter disclosed and claimed in the above-identified application. The Washington State University co-authors were working under my direction to conduct the experiments which are reported in the abstracts. The diets which were fed to the dogs in those experiments were prepared and supplied by Iams. The research which I requested the Washington State University co-authors to perform was the determination of the effects of lutein on dogs, and specifically, to measure lutein uptake and study the effect of lutein on cell-mediated immunity.

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4. Further, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.



Michael G. Hayek